

United States District Court
Eastern District of California

Jeffers P. Dickey,

Plaintiff,

vs.

M. Churray,

Defendant.

No. Civ. S 03-2215 MCE PAN P

Order

-oOo-

Plaintiff is a state prisoner without counsel prosecuting a civil rights action against prison officials.

May 31, 2005, plaintiff requested the court "serve" a deposition by written questions under Fed. R. Civ. P. 30.

Plaintiff may examine prospective witnesses by written questions (see Fed. R. Civ. 30(d)) but must pay the fees of the officer

taking the deposition under oath. See Tedder v. Odel, 890 F.2d

210, 211-12 (9th Cir. 1989). The court has no role in arranging

for such depositions or serving deposition notices (which a party

1 may serve by mail).

2 Accordingly, plaintiff's May 31, 2005, motion for the court
3 to serve a deposition by written questions is denied.

4 So ordered.

5 Dated: June 29, 2005.

6 /s/ Peter A. Nowinski

7 PETER A. NOWINSKI

8 Magistrate Judge
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